

SENATE BILL REPORT

SB 6824

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 2006

Title: An act relating to safe residential housing for persons with developmental disabilities.

Brief Description: Providing additional protections for safe residential housing for persons with developmental disabilities.

Sponsors: Senators Kohl-Welles, Brandland, Regala, McAuliffe and Kline.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/06, 2/1/06 [DP]

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Shani Bauer (786-7468)

Background: In 1996, the Legislature began providing funding to the Department of Social and Health Services (DSHS) to create and run a program for persons with developmental disabilities who have demonstrated violent or sexually violent behaviors. The program, known as the Community Protection Program, continues to exist through budget proviso and through Division of Developmental Disabilities policy.

Currently, there are approximately 390 persons placed in the Community Protection Program. Of the 390, approximately 80 percent demonstrate sexually aggressive behavior, with the remaining 20 percent demonstrating violent, assaultive, or arsonist behaviors. Approximately 100 participants are registered sex offenders.

The Community Protection Program offers twenty-four hour per day supervision, treatment and counseling, and access to job training skills through day service programs. DSHS contracts with private companies to provide the required supervision for persons in the Community Protection Program. Currently, eighteen companies are providing services. Of the eighteen companies, four are non-profit.

Summary of Bill: A "Community Protection Program" is defined as a program established by the DSHS to provide residential facilities to persons with developmental disabilities who have been convicted of a sex offense, found not guilty by reason of insanity or found incompetent to stand trial for a sex offense, or constitute a risk to others as determined by a qualified professional.

A national criminal history background check with the Washington State Patrol is required to be completed for any person seeking to work at a Community Protection Program facility that

will have unsupervised access to residents. DSHS must determine what criminal history will prohibit a person from working at the facility.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is an issue that was taken up at the conclusion of the background check committee. We should be consistent across the board in ensuring that people who have unsupervised access to residents in the community protection program have been thoroughly reviewed.

Testimony Against: It is unclear who is going to pay for the extra cost of conducting background checks for these individuals, whether it is the county who will have to cover that cost or the residential facilities. It is also unclear whether county run community protection facilities are included.

Who Testified: PRO: Senator Jeanne Kohl-Welles, prime sponsor.

CON: Jean Wessman, Association of Counties; Sharon Case, Community Residential Services Association.